



Application No. 09/892,993  
Amendment dated: July 12, 2004  
Re: to Office Action Mailed March 10, 2004

ETH-1567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of  
KELLY R. BROWN, ET AL.

Group Art Unit: 1615

U.S. Serial No.: 09/892,993  
Confirmation No.: 3764

Examiner: Blessing M. Fubara

Filed: June 27, 2001

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P.O. Box 1450, Alexandria, VA 22313-1450 on

For: POROUS CERAMIC/POROUS  
POLYMER LAYERED SCAFFOLDS  
FOR THE REPAIR AND  
REGENERATION OF TISSUE

July 12, 2004

(Date of Deposit)

*Judith M. Trauma* 7-12-04  
(Signature) (Date)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NON-FINAL OFFICE ACTION**

Sir:

This communication is submitted in response to a non-final Office Action mailed March 10, 2004, the shortened statutory response period for which is extended by one month to July 10, 2004, by the Petition submitted herewith. Further, since July 10, 2004, falls on a Saturday, this communication is timely submitted if filed on July 12, 2004. Please enter the following remarks, and the attached Statement of Common Ownership and Terminal Disclaimer, in the above-captioned application.

**REMARKS**

In the present Office Action, the Examiner has rejected Claims 1-4, 6-17, 23 and 24 as being anticipated under 35 U.S.C. 102(e) by U.S. Patent 6,333,029 to Vyakarnam et al. ("the Vyakarnam Patent"). Applicants respectfully traverse this rejection. The tissue scaffolding of independent Claim 1 has a porous ceramic phase